

Before the Hearings Commissioners at Christchurch City Council

under: the Resource Management Act 1991

in the matter of: an application by Ryman Healthcare Limited for resource consent to establish and operate a comprehensive care retirement village at 100-104 Park Terrace and 20 Dorset Street, and 78 Park Terrace, Christchurch

between: **Ryman Healthcare Limited**
Applicant

and: **Christchurch City Council**
Consent Authority

Summary of evidence of **Andrew Davies Burns** on behalf of Ryman Healthcare Limited

Dated: 25 January 2021

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SUMMARY OF EVIDENCE OF ANDREW DAVIES BURNS ON BEHALF OF RYMAN HEALTHCARE LIMITED

1 My name is Andrew Davies Burns. My qualifications and experience are set out in my statement of evidence dated 6 January 2021. I repeat the code of conduct statement contained in my statement of evidence.

Summary of evidence

2 My evidence presents an urban design peer review of the UDLVA and evidence of Ms Skidmore and also considers the urban design aspects of the Council Officer's Report and associated Urban Design Report. My peer review considers Ms Skidmore's visual effects assessment to the extent it relates to urban design effects (visual dominance and character).

3 My peer review addresses seven urban design considerations that I consider address the relevant Christchurch District Plan (*District Plan*) matters of discretion, policies and objectives that relate to urban design (described at paragraph 46 of my evidence). These matters generally overlap with the approach taken by Ms Skidmore and Ms Schroder. The seven considerations are:

- i. Context, character and character buildings;
- ii. Relationship to streets and open spaces;
- iii. Built form and visual quality;
- iv. Neighbour amenity effects;
- v. Movement structure and access;
- vi. On-site open space amenity; and
- vii. Safety and security, CPTED.

4 Overall, I consider there is a high degree of alignment between my assessment of the Proposed Village and the assessment of Ms Skidmore, as set out in the UDLVA and her evidence. I also generally agree with the Council Officer's Report and Urban Design Report, with exceptions noted at paragraph 186 in my evidence.

5 The Proposed Village will bring substantial change to the residential character of the area and I consider this change needs to be considered in the context of the outcomes sought for the Residential Central City (*RCC*) Zone through the District Plan. The Council Officer's Report, Urban Design Report and UDLVA all agree on this approach. This approach is also reflected in the matters of discretion for retirement villages, which call for an assessment of whether any change is appropriate to the context. I acknowledge that no relevant permitted baseline exists for the Proposed Village. My assessment therefore utilises the District Plan objectives,

policies and built form standards as a useful tool for benchmarking the order and nature of urban design effects, but I have also considered a range of other factors that inform my assessment at paragraph 47 of my evidence.

- 6 The positive urban design impacts of the Proposed Village are a point of agreement between Ms Skidmore, Ms Schroder and me. The Proposed Village is of high visual quality that will be of a density and activity anticipated for the RCC zone. The location of the Sites adjacent to Hagley Park and Park Terrace can comfortably absorb the over-height aspects of Buildings B02 and B07 (west wing), noting that height has been reduced on more sensitive boundaries (e.g. reduced to 5 and 4 stories respectively on the Peterborough Site for the Building B07 east wing and Building B08, and top level setbacks are proposed for the Bishopspark Site along the southern and northern boundaries). Public transport, shops and restaurants are a short walk (50-200m) supporting high density living on these Central City Sites.

Outstanding issues

- 7 I consider the outstanding urban design issues in dispute between myself and the Council's urban designer Ms Josie Schroder relate to:

- 7.1 The visual dominance effects of the Building B02 north and south façades;
- 7.2 The residential amenity effects on Dorset Street Flats, consented Stables building, and 6/17 Salisbury Street;
- 7.3 The visual quality of the Salisbury Street façade of Building B07, and its engagement with the street, requires further improvement;
- 7.4 The residential amenity effects of Building B07 on 76 Park Terrace;
- 7.5 The residential amenity effects of Building B08 on 15 Peterborough Street;
- 7.6 The effects resulting from the loss of existing mature trees.

- 8 I summarise my conclusions on the seven key urban design considerations in the following paragraphs and address the matters in contention where applicable.

Context, character and character buildings

- 9 I consider the Proposed Village provides an appropriate response to the neighbourhood context and Site characteristics in the following ways:

- 9.1 The proposed density and mix of dwelling types and amenities and the variety of building sizes is appropriate for an inner-city location;
 - 9.2 The distribution of the Proposed Village across two Sites provides a more granular outcome that reconciles the higher density anticipated in the inner-city with existing neighbourhood character;
 - 9.3 The general approach to building orientation across both Sites results in differentiated character for west-facing (Park Terrace) frontages compared to secondary streets and internal boundaries;
 - 9.4 The rhythm of buildings, linear open spaces and some stand-alone buildings (e.g. Buildings B02 and B08) provides relational qualities and a degree of openness across the Site;
 - 9.5 A number of buildings, including 108 Park Terrace and Centro Hotel, point to the future character anticipated for the RCC zone;
 - 9.6 Inevitable scale juxtaposition occurs when comparing some existing buildings with the Proposed Village due to the higher intensity outcomes sought by the District Plan for the zone. I consider the stepping down in height near neighbours and high levels of façade modulation and articulation and roof top setback help promote relational qualities with the context;
 - 9.7 Incorporation of the heritage listed Chapel, including the well-activated setting, contributes to the character of the Bishopspark Site; and
 - 9.8 The design emphasis and height at the Park Terrace / Salisbury Street corner works well given local site qualities. The design response along Salisbury Street is comparatively repetitive and modulation less successful, but not to the extent it affects my overall support for the design.
- 10 In relation to Ms Schroder's comments on the retention of existing trees, I acknowledge the removal of mature trees will reduce on-site character. However, I consider the provision of new trees within new landscaped areas will mitigate this loss and provide a greater level of planting overall.
 - 11 In relation to Ms Schroder's comments on the scale of the proposed planting, I agree with Ms Skidmore that tree planting is not required to mitigate the urban design-related effects of the Proposed Village. I consider the proposed landscaping assists with integrating the Proposed Village into its context.

Relationship to streets and open spaces

- 12 Overall, I consider the Proposed Village responds well to the streetscapes and open spaces surrounding the Sites. I agree with the UDLVA that an appropriate level of street enclosure along Park Terrace is achieved with good levels of activation and engagement.
- 13 The general approach of providing greater height along Park Terrace on the Sites is appropriate in light of the scale of Park Terrace, the open aspect towards Hagley Park and the pocket park in front of the Peterborough Site. The top-level setback and varied roof forms reduce dominance and promote scale reduction.
- 14 Buildings B03 and B08 present finer grain, well-proportioned and activated frontages onto Dorset and Peterborough Streets respectively.
- 15 The 750mm level change at the Peterborough Site has been well-resolved, providing engagement through dwelling frontages, patio spaces and appropriately designed fencing to maintain visual connections. The Bishopspark Site frontage onto Park Terrace includes dwellings and patios facing to the street. An open pool fence is provided with dense hedging at the boundary. While I agree that greening of the street edge is positive, I consider a balance needs to be struck to ensure visual connections are able to be maintained.
- 16 The Building B07 frontage to Salisbury Street is appropriately differentiated from those along Park Terrace, reflecting the different hierarchy of these streets. I consider Building B07 activates and engages with Salisbury Street presenting a good level of window fenestration but presents a lower level of modulation and some visual dominance effects (but as previously mentioned, not to the extent that affects my overall support for the design).

Built form and visual quality

- 17 I agree with Ms Skidmore and Ms Schroder that the Proposed Village generally provides a good level of visual quality across both Sites.
- 18 Ms Schroder notes specific exceptions to this conclusion, being the northern and southern façades of Buildings B02, the northern façade and southern stair core of Building B07, and eastern façade of Building B08. I consider the northern façade of Building B02 and the eastern façade of Building B08 are appropriate given their relationship with neighbouring properties and levels of visibility.
- 19 I do agree that the north façade of Building B07 on Salisbury Street provides a lower level of modulation that creates visual dominance effects, although the articulation and activation of this façade is positive and I am comfortable 'in-the-round' with this building.

- 20 In my statement of evidence, I noted that the southern stair core of Building B07 presents relatively blank upper-level walls that create adverse visual dominance effects. Since my evidence was lodged, Ryman has proposed a darker and more recessive colour for the stair core area (see B07.A2-013). I have reviewed the updated drawings. I support that change and am now comfortable with this element of the design.
- 21 I also agree that the southern façade of Building B02 lacks articulation though angled façade elements offer modulation of form. When viewed in-the-round with the primary west façade of Building B02 and tree planting I consider the building overall presents an acceptable level of visual interest.
- 22 Overall, I consider the separation of linear building forms, distinctive setback roofline, vertical subdivision of facades, solid-to-void articulation of most of the facades, recessed balconies, and different materials characterise the Proposed Village design. I consider this approach achieves a high quality and 'well-mannered' architectural solution that creates visual quality and interest.

Neighbour amenity effects

- 23 I have carried out my own assessment of privacy, sunlight shading and visual dominance / outlook effects of the Proposed Village on neighbours, and I provide a tabular summary at paragraph 181 of my evidence. My assessment aligns closely with Ms Skidmore's in respect of the various neighbouring properties.
- 24 In relation to the areas of disagreement between myself and Ms Schroder, I summarise as follows:
- 24.1 I disagree with Ms Schroder that there will be a visual dominance impact on 6/17 Salisbury Street. Only very small, high-level strip windows occur on the façade of this property facing Building B01 thereby restricting experience of any visual dominance effects.
- 24.2 Ms Schroder considers Building B08 (east façade) will have moderate-high visual dominance effects on the 15 Peterborough Street apartments. As explained at paragraph 142 of my evidence, Building B08 breaches the recession plane thus bringing upper parts of the building façade closer to the boundary. However, the recession planes would still allow the top-level of Building B08 to occur (setback a further 3m), and the change to the total extent of building in the field of view would be relatively slight. Therefore, I conclude there will be low-moderate adverse visual dominance effects (minor in RMA terms).
- 24.3 Ms Schroder considers the Proposed Village will have moderate to high shading impacts on some neighbouring

properties. I disagree with this conclusion given that in almost all cases the shading cast by the Proposed Village falls within the amenity expectations established by the District Plan for the RCC Zone.

24.4 Ms Schroder considers there will be moderate visual dominance effects on 4A Dorset Street. I disagree given the specification for opaque glazing to the windows of the Stables building facing Building B01 that will mitigate the perception of increased visual dominance effects due to the recession plane and living room window breaches at this boundary.

24.5 Ms Schroder considers flats 2 and 6 Dorset Street will experience visual dominance effects from Building B01. These flats sit to the western end of the Dorset Street Flats and are setback some 7.5m from their rear boundary. Both of these flats are oriented to the north with large glazing. Narrow strip windows and louvres occur to the south towards Building B01 with the exception of the upper level flat 6 that appears to include a single medium sized window. I consider visual dominance effects on flat 2 are acceptable given the clear northern orientation and small southern windows. In respect of flat 6, I consider there will be limited visibility of the recession plane or living room window (750mm) exceedances given the generally narrow window types and sight lines. Further, given the 11m combined separation between Building B01 and flat 6, I do not consider the 750mm living room window encroachment will be discernible.

24.6 Lastly, Ms Schroder considers the residential amenity effects of Building B07 on 76 Park Terrace include moderate privacy effects. I assess these to be very low in relation to the southern end of Building B07 due to the setback (circa 11m) created by the primary site access, boundary planting, primary unit orientation towards Hagley Park and, for the stair core, windows opening into communal corridors only (i.e. intermittent occupation). The upper level of number 76 is setback from the common boundary by 7-8m, resulting in overall separation between Building B07 and number 76 of 18-19m. I also note Ms Schroder and I agree that visual dominance effects are low-moderate (minor adverse).

25 I conclude that effects on neighbours are acceptable in all cases, taking into account the outcomes sought for the RCC Zone, the existing context and the design features of the Proposed Village.

Movement structure and access

- 26 I agree with the UDLVA that the Proposed Village offers quality ground-level environments for pedestrian users, and the location of vehicle movements, parking and servicing in basements or contained behind buildings avoids visual dominance impacts.
- 27 Both Sites have good proximity to public transport, with bus stops along Park Terrace some 150m-200m from the Site and the Victoria Street shops are even closer at 50m-100m. I agree with Ms Schroder that cycle parking and access to it is not well-provided for on the Sites, although I note that Mr Hills has explained this cycle parking will be used by staff and is therefore appropriately located.
- 28 The Bishopspark Site provides two movement axis - north-south from Park Terrace and east-west between Westwood Terrace and Dorset Street. These two systems do not connect but given the gated and managed nature of the Site I consider the overall outcome to be successful. The main entrance is located on the principal north-south axis with good direct connection and line of sight from Park Terrace. It is a centralised point offering good distribution across the Site as a whole.
- 29 The Peterborough Site offers a clear entrance relationship between Building B07 and Park Terrace but the pedestrian cross-site link from Building B07 to Building B08 is not as successful. Building B08 is provided with its own Peterborough Street access, although residents wishing to access amenities on the Bishopspark Site are unlikely to use this route. Overall however, given the controlled and managed nature of the site, I consider all on-site access routes are likely to be safe and acceptable.

On-site amenity

- 30 I agree with the UDLVA that the Proposed Village offers a very high level of on-site amenity including a diverse range of amenities accessible to both Sites and accommodation for different requirements. While not all units include private outdoor space, a range of shared open spaces that include landscaped gardens, a bowling green and chapel courtyard, and facilities including a swimming pool, gym, theatre, dining, library and craft areas are provided. The very close proximity of Hagley Park and Avon River will compliment on-site open space and local shopping and restaurants are easily walkable.

Safety, security and CPTED

- 31 I agree with the UDLVA that the Proposed Village generally provides safe and legible connections and buildings located and oriented to provide eyes on adjacent streets. There are some areas of the Proposed Village where weaker CPTED outcomes occur, however I accept that these relate to on-site or private accessway locations and are likely to be well-managed by Ryman.

Conclusion

- 32 Overall, I support the Proposed Village from an urban design perspective in light of the existing context, the design features of the Proposed Village and the expectations for the Sites set out in the District Plan. I have not identified any effects or concerns that would justify consent being declined.

Andrew Burns
25 January 2021